

**District VI Advisory Board
Minutes**
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**Wednesday
August 20, 2008
6:30 p.m.**

**Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom**

The District VI Advisory Board meeting was held at 6:30 p.m. at the Evergreen Recreation Center Lounge Clubroom 2700 N. Woodland. District VI councilwoman led the meeting with six (6) District Advisory Board members in attendance, two (2) city staff and six (6) members of the public who signed in.

Members Present

Bob Schreck
Janet Miller
John VanWalleghen
Bob Aldrich
Marsha Carr
C. Bickley Foster

Members Absent

Stacie Longwell
Carol Skaff
Charlie Claycomb
Pat Randleas
Jaya Escobar

Staff Present

Terri Dozal, Neighborhood Assistant
Bill Longnecker Planning

Guests

Listed at end

Council Member Fearey called the meeting to order at 6:35 p.m. welcoming everyone and asked members to introduce themselves and state their representation on the board.

Approval of Minutes

Minutes for July 7th were approved with amendments and July 16th minutes were approved as submitted.
(Schreck/VanWalleghen 6-0)

Approval of Agenda

The agenda was approved with an amendment to allow for a speaker on the public agenda.
(Schreck/VanWalleghen 6-0)

Public Agenda

1. **Scheduled items:** None at this time

2. **Off-agenda items:** *Keith Koontz* 2224 Woodland wanted to report the lot at 2234 Woodland has very high weeds and has not been mowed this year. There is also trash and tires. This has been reported many times to the appropriate department and nothing has been done. *Koontz* said the city can pay him to mow the lawn as he would do it. **Schreck** said he reported this complaint to OCI at the Graffiti Task Force meeting and also drove by and the lot has not been cut. **Fearey** responded that she and **Councilmember Williams** are reviewing a way to pay neighborhood associations to take care (mowing) of abandoned lots as it would be much cheaper for the city.

***** **Action:** Provide comments/take appropriate action.

Staff Presentations

Old Business

Planning

3. CON2008-00033 1065 N TOPEKA AVE

Donna Goltry, Planner presented on recommendations made for the case previously heard on August 4, 2008 for a Conditional Use for Group Residence, limited, for children West of Topeka Avenue and South of 10th Street North. *Goltry* stated these recommendations came out of a meeting that was held to review the conditions. The applicant was not present at the meeting but had been invited.

The Board asked the following questions with responses in *italics*.

- Does MAPD staff have any problems changing the amount of youth residents from eight (8) to ten (10)? *The Licensure will determine exactly how many to be allowed but we thought she wanted only eight.*
- Does MAPD staff have a problem with the minimum of only one (1) staff person supervising? *KDHE language states there can be just one staff member and MAPD staff has no problem with that. The applicant would prefer two staff.*
- Has the property been taken off of the National Historic level? *This has been determined it is a contributing structure in a historic district per the Historic Preservation Association.*
- What are the consequences if the home is in violation of the Conditional Use? *The conditional use would become null and void by MAPD and KDHE could put them on probation or subject to lose their license.*

The agent for the applicant said the owner was requesting that two conditions of the approval for the Conditional Use would be accepted as:

3. The maximum number of residents (youth - selected by the court) shall be limited to the number and age permitted by licensure as a Group Boarding Home under KDHE regulations or a maximum of ten (10) youth **not eight (8)** aged six to 17 years of age, whichever is more stringent.
5. Children shall be supervised at all times by a minimum of two (2) staff persons.

Miller asked which Conditional Use recommendation would be binding, the one presented tonight or the exhibit submitted for the August 4th DAB meeting?

***** **Action:** The DAB 6 members made a recommendation to the City Council to approve

(6-0 Aldrich/Schreck) the Conditional Use for a group residence allowing staff report conditions #3 is changed to read a maximum of 10 youth and condition #5 that children shall be supervised at all times by a minimum of two (2) staff persons.

New Business

4. ZON2008-00040

Bill Longnecker, Planner presented a zone change request from B Multi-family Residential ("B") to LI Limited Industrial ("LI") between 11th & 12th Streets on the west side of Wellington Place. The case background and staff recommendations were reviewed with the members and the public. The members were provided the MAPD staff report for review prior to the meeting. *Longnecker* stated some of the staff recommendation had changed since the original report was provided to DAB.

The Board asked the following questions with responses in *italics*:

- Is there a drainage problem in the area? *Still waiting for an answer from storm water management.*
- Who owns the property where the railroad used to be? *The City still controls most of it and since 2003 our records indicate 1/2 of the railroad right-of-way has been vacated which would revert to Apex ownership.*
- What is the height allowance if zoned LI (limited industrial)? *60 ft.*

- Has the applicant considered all the truck traffic on the streets if he decides to expand? *Trucks unloading limit is for two (2) hours on the street.*
- Is there a limited size of trucks allowed on the streets in that area? *Yes*
- Is it legal to block a road for two hours? *There is a time limit of two hours.*
- Is there a reason to restrict loading on the Wellington Street side? *The area is not large enough for trucks to park and we're trying to adjust the location of storage for the large metal sheets to an area where traffic is not blocked as much.*
- How do other businesses in the area get to their own entrance with all the trucks? *11th/ street is used for personal vehicle.*
- Why are you not in compliance with parking and screening already? *Nothing came up previous until we began to refinance and restructure in April and found out we were out of code compliance. We have put money in trying to clean-up and paint the area.*
- Could the applicant relocate the loading and unloading areas to the East side of the building?

Linny Wells 1225 Wellington Place, said the company was a good and bad neighbor as of now she can't get into her own business parking. If they expand she won't be able to get into her business because of all the trucks that sit longer than two hours on the street. *Wells* asked the applicant if he is trying to close State Street.

Gene Rath agent for the applicant stated that only a portion of the lot is Limited Industrial (LI) and they are asking for the remaining property to be zoned the same. Part of the parking is used for staff as Apex does not allow their employees to park on the Street. The new layout would allow for 106 more parking spaces with screening/landscaping on the North and West side. If there is an expansion we would need more parking. The applicant said he has an offer to the Genealogical Society to purchase some of their property.

Miller said she doesn't think LI is convenient as the Midtown plan does not encourage expansion of this type of zoning and has a concern about flooding contributing from all the paving. **Miller** would support the staff recommendation but not the LI. **Schreck** asked if trees in the parking lot had been considered and doesn't mind zoning for the south end but can not approve the North end request as it is very crowded.

Carr said she didn't think there were any neighbors and her grandparents had lived in this area. Any improvements to the parking make it better and a huge improvement to the neighborhood.

Foster finished saying we should keep our eyes open to changes.

******Action:** The DAB 6 members made a motion (**6-0 Miller/Schreck**) to recommend to the City Council approval of the recommendations located on page five (5) in the original MAPD staff report.

Board Agenda

5. Problem Properties

- McDonald's at 13th / St. Paul: High weeds.
- 22nd and Jeanette: 4 ft.tall grass on the North West corner
- Strip Mall near 9th/ West old pool supply store with a vacant parking lot has empty containers and trash
- Graffiti: 2347 N. Arkansas the building North of the Post Office
- Graffiti: Papillion's on Broadway north of Irving school on the West side

*******Action:** Receive and propose appropriate action.

6. Neighborhood Reports

Orchard Park: The 5300 block of Robinson (West of 9th/Robinson) someone was shooting up into the air. This is still under investigation.

***** **Action:** Receive and file.

Updates from the Councilmember

Announcements

- Next DAB meeting will be on Monday, September 8, 2008

With no further business to discuss the meeting adjourned at 8:25 p.m.

Guests

Keith Koontz	2224 Woodland 67204
Lynnie Wells	1225 Wellington Pl 67203
Patrick Wells	1225 Wellington Pl 67203
Eric Commer	2724 N. Rush wood Ct. 67226
Carla Hobbs	340 S. 163 rd St. W Goddard, KS. 67052
Gene Rath	MKEC

Respectfully Submitted,

Terri Dozal, Neighborhood Assistant